IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION.

WRIT PETITION NO.9436 OF 2004.

Mrs.Sharayu Balasaheb Jadhav : Petitioner.

versus

State of Maharashtra and ors. : Respondents.

Shri A.M.Joshi, Advocate, for the Petitioner.

Shri P.B.Shaligram, Advocate, for Respondent Nos.2 and 3.

None for Respondent Nos.4 & 5, though served.

CORAM : R.M.S.KHANDEPARKAR &
NARESH H. PATIL, JJ.

DATED : 19th AUGUST 2006.

P.C.

1. Undisputedly, after filing the present petition, the School Tribunal has ordered reinstatement of the Petitioner in the service. It is also an undisputed fact that the decision of the School Tribunal is under challenge by the Management by way of another Writ Petition before this Court which is yet to be heard and finally decided. The natural consequences of the order passed by the Tribunal, unless it is set aside,

would be that the appointment of the petitioner would be lawful and binding upon all the concern persons and authorities. In this view of the matter, there is no substance in the present Petition at this stage. The Petitioner is entitled to support the order passed by the Tribunal in reply to the Petition filed by the Management. Being so, there is no question of dealing with the matter in issue separately while the major issue in that regard is pending in another Petition between the same parties. In this view of the matter, the Petition is rejected.

[R.M.S.KHANDEPARKAR, J]

[NARESH H. PATIL, J]